

HOUSE BUDGET & RESEARCH OFFICE

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HOUSE COMMUNICATIONS

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TOMORROW'S FORECAST

* The House will reconvene for its 24th Legislative Day on Tuesday, February 26, at 10:00 AM.

* 4 bills are expected to be debated on the floor.

**GEORGIA HOUSE OF REPRESENTATIVES*****DAILY REPORT*****Monday, February 25, 2013****23rd Legislative Day****TODAY ON THE FLOOR****RULES CALENDAR****HB 70 - Special needs students; waiver of one of the scholarship requirements under certain conditions; provide**

- BILL SUMMARY: House Bill 70 is relating to the scholarship program for special needs students. This bill makes changes to annual notification options available to parents of special needs children. The State Board of Education shall be authorized to require a local board of education to expedite the development of an Individualized Education Program (IEP) and to waive the prior school year requirement as a result of a child's medically fragile condition. The Board shall review these requests on a case by case basis. This bill also states when the quarterly payments should be made by.

- **Authored By:** Rep. Rich Golick of the 40th

- **House Committee:** Education

- **Rule:** Modified-Structured

- **Yeas:** 165; **Nays:** 0

HB 142 - Georgia Government Transparency and Campaign Finance Commission; change certain provisions

- BILL SUMMARY: This bill allows the Georgia Government Transparency and Campaign Finance Commission to adopt any rules and regulations necessary and appropriate except they cannot require the reporting or disclosure of more information than required by law.

The bill also prohibits lobbyists from making expenditures for tickets to admission to athletic, sporting, recreational, musical concert, or other entertainment events, unless consideration of equal or greater than face value is received. It also prohibits lobbyists from a reimbursement or payment of expenses for recreational or leisure activities.

A lobbyist can make expenditure for food and beverages to the House or Senate, standing committees and subcommittees, caucuses of members of the majority or minority political parties of the House or Senate and other approved caucuses. Also permissible are monetary fees and honorariums paid to a public officer for speaking engagements or participation in seminars, discussion panels or other activities which directly relate to the official duties of that public officer. It is permissible to reimburse or pay for actual and reasonable expenses for the member or support staff related to transportation except airfare, lodging, travel, registration, food, and beverages for attending meetings that directly relate to the office duties of a public officer. It is permissible to pay for admission for members of the General Assembly to a collegiate athletic event if the team is part of the University System of Georgia or a private university or college accredited in Georgia and the event is offered to all members of the General Assembly.

It defines "lobbyist" as someone for compensation or pro bono advocates a position or agenda on behalf of someone else at a state building, for the purpose of influencing the decision maker. The registration fee for a lobbyist is dropped from \$300 to \$25 and now includes an identification card.

An individual does not have to register as a lobbyist if he or she communicates personal views, interests or personal opinions to any public officer. An individual does not have to register if they are not paid to lobby and do it no more than 5 days in a year. If an individual is invited to appear before a committee and clearly identifies the interested party on whose behalf her or

she is testifying. If someone is required to register they cannot meet at a state building unless they are wearing their lobbyist badge.

- **Authored By:** Rep. David Ralston of the 7th
- **House Committee:** Rules
- **Rule:** Modified-Structured
- **Yeas:** 164; **Nays:** 4

HB 143 - Campaign contributions; disclosure reports; change certain provisions

- **BILL SUMMARY:** This bill changes the signing and filing requirements for candidates for county or municipal offices. Instead of filing them with the commission, candidates for county office will now file the required disclosure reports with the election superintendent in the county and candidates for municipal office will file the reports with the municipal clerk in the municipality or the chief executive officer of the municipality if there is no clerk.

It also requires that any contribution of more than \$100.00 received during the period beginning January 1st and ending the first day of session, must be reported to the commission within five business days of the start of session and also reported on the next regularly scheduled campaign contribution report.

In addition, any candidate for elected county office, member of a local board of education, or elected municipal office who provides written notice that they do not intend to accept nor make a combined total of expenditures exceeding \$2,500 in a calendar year does not have to file a report. If they end up exceeding \$2,500, but not \$5,000 they have to file the June 30th and October 25th reports. If they exceed \$5,000 they have to file all reports.

- **Authored By:** Rep. David Ralston of the 7th
- **House Committee:** Rules
- **Rule:** Modified-Structured
- **Yeas:** 167; **Nays:** 0

HB 175 - Covenants and warranties; certain covenants run with the land as a matter of public policy of this state; provide

- **BILL SUMMARY:** HB 175 states that a covenant runs with the title to land when a property owner and a third party agrees to it for no more than 20 years, and it is adequately described in the recorded instrument.

- **Authored By:** Rep. Dustin Hightower of the 68th
- **House Committee:** Judiciary
- **Rule:** Modified-Open
- **Yeas:** 169; **Nays:** 0

HB 177 - Oconee River Greenway Authority; change the membership

- **BILL SUMMARY:** HB 177 amends the makeup of the Oconee River Greenway Authority by allowing no more than four (the current law requires exactly two) residents of each county which is in the geographic jurisdiction of the authority who have training or experience in biology, botany or environmental science and who shall be appointed by the chairperson of the governing authority of such county to serve on the authority.

- **Authored By:** Rep. Joe Wilkinson of the 52nd
- **House Committee:** Natural Resources & Environment
- **Rule:** Modified-Open
- **Yeas:** 169; **Nays:** 0

LOCAL CALENDAR

HB 364 - McDonough, City of; levy an excise tax

- BILL SUMMARY: A Bill to authorize the City of McDonough to levy a hotel/motel tax.
- **Authored By:** Rep. Brian Strickland of the 111th
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Structured
- **Yeas:** 156; **Nays:** 0

HB 376 - Hawkinsville, City of; levy an excise tax

- BILL SUMMARY: A Bill to authorize the City of Hawkinsville to levy a hotel/motel tax.
- **Authored By:** Rep. Buddy Harden of the 148th
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 156; **Nays:** 0

HB 383 - Warner Robins, City; revise qualifications for candidates for mayor and council

- BILL SUMMARY: A Bill to provide for the qualifications for candidates for mayor and council in the City of Warner Robins.
- **Authored By:** Rep. Larry O'Neal of the 146th
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 156; **Nays:** 0

HB 410 - Macon-Bibb County Community Enhancement Authority; define category IV poverty area

- BILL SUMMARY: A Bill to amend the Act which created the Macon-Bibb County Community Enhancement Authority so as to define the terms "category IV poverty area," "benchmark county," and "less developed census tract area."
- **Authored By:** Rep. James Beverly of the 143rd
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 156; **Nays:** 0

HB 414 - Columbus, City of; "Redevelopment Powers Law"; provide referendum

- BILL SUMMARY: A Bill to authorize the consolidated government of Columbus/Muscogee County to exercise all redevelopment powers as permitted under the State Constitution and the Redevelopment Powers Law pending a local referendum to approve the authorization.
- **Authored By:** Rep. Calvin Smyre of the 135th
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 156; **Nays:** 0

HB 415 - Columbus, City of; make certain stylistic changes to charter

- BILL SUMMARY: A Bill to amend the charter of Columbus/Muscogee County so as to provide for procedures for the creation or modification of service districts, to provide for redistricting, to provide appeals to State Court, to provide for special elections, to provide for petitions, to provide for the preparation of an annual operating and capital budget, to provide for the sale of any real property or public utility, and to provide for county agencies.
- **Authored By:** Rep. Calvin Smyre of the 135th
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 156; **Nays:** 0

HB 416 - Columbus, City of; personnel review board; change certain provisions

- BILL SUMMARY: A Bill to amend the charter of Columbus/Muscogee County so as to provide for the powers and duties of the Personnel Review Board.
- **Authored By:** Rep. Calvin Smyre of the 135th
- **House Committee:** Intragovernmental Coordination - Local
- **Rule:** Open
- **Yeas:** 156; **Nays:** 0

HB 417 - Columbus, City of; make certain stylistic changes to charter

- BILL SUMMARY: A Bill to amend the charter of Columbus/Muscogee County so as to provide for procedures for the creation or modification of service districts, to provide appeals to State Court, to provide for special elections, to provide for petitions, to provide for preparation of an annual operating and capital budget, to provide for the sale of any real property or public utility, and to provide for county agencies.

- **Authored By:** Rep. Calvin Smyre of the 135th

- **House Committee:** Intragovernmental Coordination - Local

- **Rule:** Open

- **Yeas:** 156; **Nays:** 0

RECOMMITTED TO COMMITTEE**HB 170 - Fulton County; ad valorem tax; exemption amount to \$60,000 after two-year phase-in period; increase**

- BILL SUMMARY: A Bill to impose a cap in millage rates and to provide an increase in the homestead exemption from Fulton County ad valorem taxes for county purposes from \$30,000.00 to \$60,000.00 after a two-year phase-in period.

- **Authored By:** Rep. Jan Jones of the 47th

- **House Committee:** Intragovernmental Coordination - Local

** The House will reconvene Tuesday, February 26, at 10:00 AM, for its 24th Legislative Day.*

COMMITTEE ON RULES

The Committee on Rules has fixed the calendar for the 24th Legislative Day, Tuesday, February 26, and bills may be called at the pleasure of the Speaker.

NEXT ON THE FLOOR**HB 266 - Internal Revenue Code; certain provisions of federal law into Georgia law; incorporate**

- BILL SUMMARY: HB 266 is the annual update bill to bring the Georgia Revenue Code in line with the Internal Revenue Code. The bill extends the Section 179 (b) (1) and (2) income tax deductions at the current levels provided for within the code.

Additionally, retirement income for airline pilots that was forced to be transferred into a Roth account in 2007 and therefore was subject to state tax will become eligible for a refund as long as an amended return is filed by Nov. 15 of this year. The bill also clarifies that the Research and Development credits established in §48-7-40.12 which were earned in tax year 2012 will apply to tax years 2012 and forward. Clarifying language to preclude on-road excise taxed fuel from is tax exempt under the GATE program was added to the bill as well requiring a good-faith standard be applied by retailers who are accepting sales tax exemption certificates.

- **Authored By:** Rep. Allen Peake of the 141st

- **House Committee:** Ways & Means

- **House Committee Passed:** 2/19/2013

- **Rule:** Structured

HB 287 - Secretary of State, Office of; Division of Archives and History; reassign to Board of Regents of University System of Georgia

- BILL SUMMARY: HB 287 reassigns the Division of Archives and History from the Secretary of State's office to the Board of Regents of the University System of Georgia.

- **Authored By:** Rep. Matt Hatchett of the 150th

- **House Committee:** Governmental Affairs

- **House Committee Passed:** 2/21/2013

- **Rule:** Modified-Open

HB 320 - Solid waste management; currently existing and compliant inert waste landfill operations from regulatory permitting; exempt

- BILL SUMMARY: HB 320 amends O.C.G.A. 12-8-24 by adding a subsection that allows for any inert waste landfill that, as of January 1, 2014, is in full compliance with all permit by rule requirements as they existed on January 1, 2012 to continue to operate under the permit by rule requirements.

The bill also exempts any landfills from permitting requirements under O.C.G.A. 12-8-27 that have a total capacity of 250 cubic yards or less and receive only inert waste.

The bill also amends O.C.G.A. 12-8-30.6, which relates to civil penalties for solid waste management violations by setting the fine for non-compliance with this part at not more than \$5,000 per day during the time which the violation continues.

- **Authored By:** Rep. Buddy Harden of the 148th
- **House Committee:** Natural Resources & Environment
- **House Committee Passed:** 2/21/2013
- **Rule:** Modified-Open

HB 338 - Georgia Council for the Arts; role of arts in economic development and other vital functions to the state; clarify

- BILL SUMMARY: The legislation clarifies the role of the Georgia Council for the Arts as it relates to economic development by making the council an advisory body. The council will be made up of nine members, appointed by the Governor, serving three year terms. Council members will represent a broad array of major fields of the arts and creative industries, and will be a balanced representation of the entire state. The Governor will appoint a chairperson on an annual basis for a term ending on June 30th of the year following his or her appointment. The chairperson will be responsible for calling upon the council to meet at least twice per fiscal year.

The council will advise the Governor through the Department of Economic Development on how best to advance the arts in education, tourism, community development, and economic development in Georgia. They will also assist local governments and communities to plan, build, and connect the arts to their tourism, community, and economic development initiatives.

- **Authored By:** Rep. Joe Wilkinson of the 52nd
- **House Committee:** Economic Development & Tourism
- **House Committee Passed:** 2/21/2013
- **Rule:** Modified-Open

**** The Rules Committee will next meet on Tuesday, February 26, at 9:00 AM, to set the Rules Calendar for the 25th Legislative Day.***

COMMITTEE ACTION REPORT

Ethics

HB 310 - Elections; ethics in government; revise definitions; provisions

- BILL SUMMARY: This bill adds the payment of a qualifying fee by a candidate to the definition of a contribution and the payment of attorney's fees connected to and furthering the campaign to the definition of an ordinary and necessary expense. The bill also addresses how notice of late fee will be provided to the offending party. It will be provided in the same manner the report was provided to the commission. The mailing of a report that is postmarked by the required filing date will be considered prima facie evidence of filing. When a campaign is terminated a report must be filed with the commission within ten days.

- **Authored By:** Rep. Joe Wilkinson of the 52nd

- **Committee Action:** Do Pass by Committee Substitute

Health & Human Services

HB 192 - Podiatry; podiatric medicine includes the diagnosis and treatment of cosmetic conditions regarding the human foot and leg; provide

- BILL SUMMARY: House Bill 192 amends the definition of podiatry practice to include the diagnosis and treatment of cosmetic conditions relating to the human foot and leg.

- **Authored By:** Rep. E. Culver "Rusty" Kidd of the 145th

- **Committee Action:** Do Pass by Committee Substitute

Intragovernmental Coordination - Local

HB 431 - Culloden, City of; elections and terms of members of city council; provide

- BILL SUMMARY: A Bill to provide for elections and terms of office for members of the city council in the City of Culloden.

- **Authored By:** Rep. Robert Dickey of the 140th

- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 440 - Ellenton, City of; election and powers of city councilmembers; change certain provisions

- BILL SUMMARY: A Bill to amend the charter of the City of Ellenton so as to change provisions relating to the election and powers of city councilmembers.

- **Authored By:** Rep. Sam Watson of the 172nd

- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 450 - Cherokee County State Court; charge technology fee for each civil case filed and each criminal fine imposed; authorize

- BILL SUMMARY: A Bill to authorize the State Court of Cherokee County to charge a technology fee not to exceed \$5.00 for each civil case filed and each criminal fine imposed.

- **Authored By:** Rep. Mandi Ballinger of the 23rd

- **Committee Action:** Do Pass

Judiciary Non-Civil

HB 156 - Electronic pornography; certain acts amounting to unlawfully seducing or enticing a child through use of computer online service; clarify

- BILL SUMMARY: HB 156 fills a gap in the Code whereby any person having custody or control of a child who is solicited online for the sexual exploitation of that child will be held criminally liable.

- **Authored By:** Rep. Jay Neal of the 2nd

- **Committee Action:** Do Pass by Committee Substitute

Judiciary Non-Civil

HB 302 - Controlled substances; substances included under Schedule I and III; add

- BILL SUMMARY: HB 302 is the annual drug update bill by the Board of Pharmacy moving new and existing drugs into different classes.
- **Authored By:** Rep. Bruce Broadrick of the 4th
- **Committee Action:** Do Pass by Committee Substitute

Judiciary Non-Civil

SB 86 - Family Violence Order; provide greater protection of victims of family violence

- BILL SUMMARY: The bill expands the definition of a family violence order.

SB 86 allows law enforcement to arrest a perpetrator upon probable cause to believe that the offender has violated the order as long as the officer has never had a prior or current familial relationship with the parties involved.

- **Authored By:** Sen. Jesse Stone of the 23rd
- **Committee Action:** Do Pass by Committee Substitute

Juvenile Justice

HB 21 - Adoption; postadoption contact agreements; provide

- BILL SUMMARY: HB 21 codifies parameters for postadoption contact agreements. Any disagreement over post-adoption visitation will not set aside any adoption order.

A postadoption contact agreement must:

- be in the best interests of the child who is a party to the agreement;
- be filed with the court no later than 30 days after filing an adoption petition; and
- set terms regarding future contact and/or sharing of information about the child

The agreement cannot be modified or terminated unless:

- all original parties agree to such modification or termination; or
- court finds it is in the best interest of the child

Jurisdiction over enforcement continues in the original court granting the adoption petition. Any litigation expenses over enforcement is borne by the party that fails to comply or files a frivolous action.

- **Authored By:** Rep. Mary Margaret Oliver of the 82nd
- **Committee Action:** Do Pass by Committee Substitute

Juvenile Justice

HB 446 - Guardian and ward; proposed ward who resided in another state prior to submission of guardianship or conservatorship petition for such proposed ward; provide certain additional notice requirements

- BILL SUMMARY: HB 446 provides for an additional notice requirement for a proposed ward who resided in another state prior to the submission of a guardianship or conservatorship petition.

The petition must set forth any state the proposed ward was physically present, including a period of temporary absence, for at least the immediate preceding six months, and notice must be given to those persons who reside in such other state.

- **Authored By:** Rep. Allen Peake of the 141st
- **Committee Action:** Do Pass

** Bills passing committees are reported to the Clerk's Office, and are then placed on the General Calendar.*

COMMITTEE MEETING SCHEDULE

Tuesday, February 26, 2013

TBD	Floor Session (LD24)	HOUSE CHAMBER (10:00am)
9:00 AM - 10:00 AM	RULES	341 CAP
1:30 PM - 3:00 PM	Utilities Subcommittee of Energy, Utilities & Telecommunications	515 CLOB
1:30 PM - 2:00 PM	Academic Support Subcommittee of Education	506 CLOB
2:00 PM - 3:00 PM	Admin/Licensing Subcommittee of Insurance	606 CLOB
2:00 PM - 4:00 PM	EDUCATION	506 CLOB
2:00 PM - 3:00 PM	PUBLIC SAFETY & HOMELAND SECURITY	415 CLOB
2:00 PM - 4:00 PM	JUDICIARY CIVIL	132 CAP
2:00 PM - 3:00 PM	Public Finance Subcommittee of Ways & Means	133 CAP
2:30 PM - 4:00 PM	GAME, FISH & PARKS	403 CAP
3:00 PM - 4:00 PM	APPROPRIATION	341 CAP (or Upon Adjournment whichever is later)
3:00 PM - 4:00 PM	Telecommunications Subcommittee of Energy, Utilities & Telecommunications	515 CLOB
3:00 PM - 4:00 PM	HIGHER EDUCATION	406 clob
3:00 PM - 5:00 PM	WAYS & MEANS	606 CLOB
3:30 PM - 5:00 PM	Alcohol and Tobacco Subcommittee of Regulated Industries	415 CLOB
4:00 PM - 5:00 PM	HUMAN RELATIONS & AGING	515 CLOB

** This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change. To keep up with the latest schedule please visit www.house.ga.gov and click on [Meetings Calendar](#).*